

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference BWO5380 - FG	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/IB2004/003210	International filing date (day/month/year) 30/09/2004	(Earliest) Priority Date (day/month/year) 07/10/2003
Applicant PROFESSIONAL DIETETICS S.R.L.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box II).

3. ☒ **Unity of invention is lacking** (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the **drawings** to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB2004/003210

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/198 A61P25/16 A61P25/28

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 919 823 A (RICHARDSON ET AL) 6 July 1999 (1999-07-06) claims 7,9,30	1,2,9, 10,12, 22,23
X	WO 95/22909 A (MPS INTERNATIONAL FOOD WORKS INC) 31 August 1995 (1995-08-31) claims 1,27	1,2,5,9, 10,12, 22,23
X	DE 203 11 240 U1 (SPORTMEDIZIN TEAM VERTRIEBS GMBH, BERNECK) 25 September 2003 (2003-09-25) claim 1	1,2,9, 10,22,23
X	EP 0 341 895 A (AJINOMOTO CO., INC) 15 November 1989 (1989-11-15) claims 1,3,4,7,8	1,2,22, 23
	-/--	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

28 February 2005

Date of mailing of the international search report

10.05.2005

Name and mailing address of the ISA

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Beranová, P

International Application No
PCT/IB2004/003210

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 642 791 A (NEW YORK STATE OFFICE OF MENTAL HEALTH) 15 March 1995 (1995-03-15) claim 3 page 2, line 32 - line 39 -----	1,2,22, 23
X	MARCHESINI G, DIOGUARDI F S, BIANCHI G P, ZOLI M, BELLATI G, ROFFI L, MARTINES D, ABBIATI R: "Long-term oral branched-chain amino acid treatment in chronic hepatic encephalopathy" JOURNAL OF HEPATOLOGY, vol. 11, 1990, pages 92-101, XP008043264 page 93, right-hand column, paragraph 6 page 98, right-hand column, paragraph 1 -----	1,2,22, 23
A	FORSSELL L G, EKLÖF R, WINBLAD B: "Early stages of late onset Alzheimer's disease" ACTA NEUROLOGICA SCANDINAVICA, vol. 79, no. 121, 1989, pages 27-42, XP008043310 page 28, right-hand column, paragraph 1 -----	

INTERNATIONAL SEARCH REPORT

International application No.
PCT/IB2004/003210

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-28 (part)

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest.

☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-28(part)

Use of a combination of branched amino acids for the treatment of neurodegenerative diseases

2. claims: 1-28(part)

Use of a combination of branched amino acids for the treatment of ischaemic states

3. claims: 1-28(part)

Use of a combination of branched amino acids for the treatment of sarcopenia of the aged

4. claims: 1-28(part)

Use of a combination of branched amino acids for the treatment of senescence

5. claims: 29-31

Use of at least one branched amino acid for the treatment of conditions characterised by insufficient mitochondrial function

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB2004/003210

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5919823	A	06-07-1999	US 5670539 A	23-09-1997
			US 5393784 A	28-02-1995
			CA 2210233 A1	18-07-1996
			EP 0799034 A1	08-10-1997
			WO 9621437 A1	18-07-1996
			AT 171620 T	15-10-1998
			CA 2128486 A1	22-01-1995
			DE 69413637 D1	05-11-1998
			DE 69413637 T2	27-05-1999
			DK 642791 T3	21-06-1999
			EP 0642791 A1	15-03-1995
			ES 2124342 T3	01-02-1999

WO 9522909	A	31-08-1995	US 5480865 A	02-01-1996
			AU 1716395 A	11-09-1995
			EP 0763984 A1	26-03-1997
			WO 9522909 A1	31-08-1995

DE 20311240	U1	25-09-2003	NONE	

EP 0341895	A	15-11-1989	DE 68909304 D1	28-10-1993
			DE 68909304 T2	11-05-1994
			EP 0341895 A1	15-11-1989
			ES 2059739 T3	16-11-1994
			JP 2076813 A	16-03-1990
			US 5028622 A	02-07-1991

EP 0642791	A	15-03-1995	US 5393784 A	28-02-1995
			AT 171620 T	15-10-1998
			CA 2128486 A1	22-01-1995
			DE 69413637 D1	05-11-1998
			DE 69413637 T2	27-05-1999
			DK 642791 T3	21-06-1999
			EP 0642791 A1	15-03-1995
			ES 2124342 T3	01-02-1999
			US 5670539 A	23-09-1997
			US 5919823 A	06-07-1999
